IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO. 21326 of 2004

Between:

1. P. Ankanna S/o P. Ankanna
   R/o Proddutur (Village & Mandal), Kadapa District
2 A. Prasad S/o China Guravaiah
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
3 M. Venkata Ranga Swamy S/o Ma. Rangaiah
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
4 K. Adinarayana Reddy S/o Pedda Shiva Reddy
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
5 B. Nageswara Reddy S/o Nagi Reddy
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
6 V. Ravindra Reddy S/o Pancharatnam Reddy
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
7 B. Chinna Reddy S/o Pedda Nagi Reddy
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
8 M. Samueal S/o Benjimen
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, kadapa District.
9 E. Subbanna S/o E. Laxmaiah
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
10 K. Krishna Obula Reddy S/o Obula Reddy
   Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
11 T. Peddyya S/o Pedda Gurappa
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
12 B. Hanumanna S/o Anjaneyulu
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, kadapa District
13 B. Nageswaramma D/o Narayana Reddy
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
14 S. Kumari W/o Manohar
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
15 Nallaballi Vijayamma W/o Balangaiah
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
16 Mekala Jayamma W/o Vanmurappa
    Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District.
17 V. Guru Shekhar S/o Pedda Gurappa

Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
18 Y. Nagi Reddy S/o Y. Venkata Reddy
Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
19 R. Trirupal Reddy S/o R.C. Gangi Reddy
Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District
20 S. Malli Karjuna Reddy S/o Narayana Reddy
Contract Labour Worked in RTPP. Stage-I, 2nd Unit C/o M. Pulla Reddy

Regional President, A.P., Power Generating Employees Union (E-1535),

F-461, RTPP, Kadapa District)

..... PETITIONER(S)

AND

1 The Managing Director A.P., Generation Corporation Ltd., Vidyuth Soudha, Somajiguda, Hyderabad
2 The Chief Engineer (O&M) R.T.P.P., VV Reddy Nagar, Kadapa District
3 The General Manager, National Building Construction Corporation (NBCC)

Ltd., RTPP-II Stage Unit Site, V.V.Reddy Nagar, Kadapa District
4 The Asst. General Manager Bharath Heavy Electrical Ltd., Rayalaseema

Thermal Power Project-II State Construction Unit Site, V.V. Reddy Nagar,

Yerraguntla (Mandal), Kadapa District
5 The Project Manager, Larsen & Toubro Limited, ECC Construction Group,

RTPP Site, Kadapa District.
6 The Project Manager, Indavell Construction Pvt. Ltd., RTPP- II Stage Unit

Site, Yerrguntla, Cuddapah District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not engaging the petitioners as contract labour, by giving preferential treatment, in construction pertaining to Rayalaseema Thermal Power Project-II stage as arbitrary, illegal and violative of

Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to engage the petitioners, forthwith, as contract labour in RTPP-II stage construction works on preferential basis by considering their representation dt 24-07-200r joint representation dt 25-08-2004 and representation dated 12-08-2003 of the Regional President, A.P. Power Generation Employees union (E-1535) and pass such other orders

Counsel for the Petitioners:MR.A. RAVI KUMAR

Counsel for the Respondent Nos.1 to 6; SMT.K.SESHARAJYAM (SC FOR AP GENCO)

The Court at the admission stage made the following Order:

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THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.21326 OF 2004

ORDER:

The petitioners contend that they have been working as contract labourers under the respondent Corporation since 1992. They contend that they are entitled to be engaged on preferential basis, for construction of Rayalaseema Thermal Power Project-II stage, under the control of the second respondent. The petitioners further contend that they made joint representation to

respondent Nos.1 and 2 on 25.07.2004 and through the Union on 12.08.2004, requesting to engage them as contract labourers on preferential basis in R.T.P.P.II construction works.

The grievance of the petitioners is that the respondent Nos.1 and 2, so far did not pass any orders on the representations regarding their request to engage them as contract labourers on preferential basis.

In the light of the submissions made by the petitioners, respondent Nos.1 and 2 are directed to pass appropriate orders on the joint representation of the petitioners and the Union of contract labourers, regarding the request of the petitioners for their engagement as contract labourers on preferential basis, within two months from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

22..11..2004

usd

To

1 The Managing Director A.P., Generation Corporation Ltd., Vidyuth Soudha, Somajiguda, Hyderabad
2 The Chief Engineer (O&M) R.T.P.P., VV Reddy Nagar, Kadapa District
3 The General Manager, National Building Construction Corporation (NBCC)

Ltd., RTPP-II Stage Unit Site, V.V.Reddy Nagar, Kadapa District
4 The Asst. General Manager Bharath Heavy Electrical Ltd., Rayalaseema

Thermal Power Project-II State Construction Unit Site, V.V. Reddy Nagar,

Yerraguntla (Mandal), Kadapa District
5 The Project Manager, Larsen & Toubro Limited, ECC Construction Group,

RTPP Site, Kadapa District.
6 The Project Manager, Indavell Construction Pvt. Ltd., RTPP- II Stage Unit

Site, Yerrguntla, Cuddapah District.

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